

**From:** Carlos Eberhardt  
**To:** Microsoft ATR  
**Date:** 1/23/02 10:44am  
**Subject:** Microsoft Settlement

To: Renata B. Hesse  
Antitrust Division  
U.S. Department of Justice  
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Suite 1200  
Washington, DC 20530-0001

Hello,

As a concerned citizen and professional software developer, I wish to comment on the proposed Microsoft settlement. I do not feel the Proposed Final Judgement (PFJ) would prevent Microsoft from continuing anticompetitive practices, and I do not believe it would level the playing field for competing Windows-compatible operating systems. Specifically, although the PFJ forbids retaliation against OEMs, ISVs, and IHVs who support or develop alternatives to Windows, it does not ensure that Microsoft could raise no artificial barriers against non-Windows operating systems which implement the APIs needed to run application programs written for Windows. Therefore it should not be adopted without considerable revision.

Sincerely,

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